

**BOARD OF COMMISSIONERS  
REGULAR MEETING  
315 WEST SECOND STREET  
FRANKFORT, KY 40601  
502/875-8500**

**JUNE 23, 2008  
5:30 P.M. (EDT)**

**1. INVOCATION**

Sandra Murphree, First United Methodist Church

**PLEDGE OF ALLEGIANCE**

John Hammond

**ROLL CALL**

**MINUTES**

May 19, 2008 Special Meeting; June 9, 2008  
Work Session; June 12, 2008 Work Session.

**MAYOR'S REPORT**

**2. CEREMONIAL ITEMS**

- 2.1** Employees in the Streets and Sanitation Departments recently competed in the American Public Works Association Bluegrass Branch Association "Rodeo," and the Solid Waste Association of North America Rodeo. Employees compete with employees from other city and state agencies. The following City of Frankfort employees won awards:

**Street Department -**

- Daniel Doss – 1<sup>st</sup> place - backhoe
- Daniel Doss and John Jennings – 2<sup>nd</sup> place – snowplow
- Freddie White and Keith Meriwether – 3<sup>rd</sup> place – snowplow

**Sanitation Department\* –**

- Trey Troxell - 3rd in side loader
- Douglas Taylor - 2nd place in rear loader.
- Kevin Meriwether - 1st place rear loader.
- Daniel Kirk - 1st in side loader

\* First and second place winners will compete in the nationals on September 17, 2008 in Lexington, KY.

**3. ORDINANCES**

- 3.1 SECOND READING:** An Ordinance amending Ordinance No. 18, 2007 Series, and Frankfort Code of Ordinances Chapter 37.32 Pay Plan (Salary Ordinance).

**Purpose:** The purpose of this Ordinance is to amend existing ordinances relating to salary and wages for officers and employees of the City of Frankfort by enacting a three percent (3%) salary increment for full-time regular personnel for Fiscal-Year 2008-2009.

This Ordinance had its first reading on May 19, 2008.

**Recommendation:** Approval

**Attachment:**

- Ordinance

**Contact Person**

**Name:** Tony Massey  
**Title:** City Manager

**Department:** City Manager  
**Phone:** 502/875-8500  
**Email:** [amassey@frankfort-ky.gov](mailto:amassey@frankfort-ky.gov)

- 3.2 SECOND READING:** An Ordinance relating to the imposition and administration of an Occupational License Requirement and payment of an Occupational License Tax by persons and a Net Profits Tax on business entities or persons conducting business or engaging in businesses, occupations and professions within the City of Frankfort.

**Purpose:** To adopt and enact the provisions of KRS 67.750 to 67.790 relating to the imposition of occupational license fees and net profits taxes on persons and business entities conducting business and/or engaging in occupations and professions within the City of Frankfort Code of Ordinances of the City of Frankfort, Kentucky as required by Kentucky law.

**Background:** This ordinance adopts and enacts the provisions of KRS 67.750 to 67.790 relating to the imposition of occupational license fees and net profits taxes on persons and business entities conducting business and/or engaging in occupations and professions within the City of Frankfort Code of Ordinances of the City of Frankfort, Kentucky as required by Kentucky law.

This Ordinance had its first reading on May 19, 2008.

**Recommendation:** Approval

**Attachment:**

- Ordinance

**Contact Person**

**Name:** Robert C. Moore  
**Title:** City Solicitor  
**Department:**  
**Phone:** 502/227-2271  
**Email:** [rmoore@hazelcox.com](mailto:rmoore@hazelcox.com)

- 3.3 SECOND READING:** An Ordinance appropriating the revenue to be received by the City of Frankfort for Fiscal Year 2008-2009.

**Purpose:** The purpose of this ordinance is to appropriate revenue to be received and expended by the City of Frankfort for Fiscal-Year 2008-2009 in accordance with the budget submitted and approved by it's adoption.

This Ordinance had its first reading on May 19, 2008.

**Recommendation:** Approval

**Attachment:**

- Ordinance

**Contact Persons**

<b>Name:</b>	Tony Massey	Steve Dawson
<b>Title:</b>	City Manager	Director
<b>Department:</b>	City Manager	Finance
<b>Phone:</b>	502/875-8500	502/875-8500
<b>Email:</b>	<a href="mailto:amassey@frankfort-ky.gov">amassey@frankfort-ky.gov</a>	<a href="mailto:sdawson@frankfort-ky.gov">sdawson@frankfort-ky.gov</a>

- 3.4 FIRST READING:** An Ordinance accepting West Ridge Drive and Vandalay Lane as public streets.

**Purpose:** The purpose of this item is to consider an ordinance to accept West Ridge Drive and Vandalay Lane into the city street system for maintenance.

**Background:** The streets have been inspected and any deficiencies noted have been corrected. The streets have been certified that they meet or exceed the minimum standards of the City of Frankfort at the time of approval. Approval of the ordinance to accept the streets will complete the official action required for acceptance into the city street system.

**Recommendation:** Approval

**Attachments:**

- Ordinance
- Request letter

**Contact Person**

**Name:** Jeff Hackbart  
**Title:** Director  
**Department:** Public Works  
**Phone:** 502/875-8500  
**Email:** [jhackbart@frankfort-ky.gov](mailto:jhackbart@frankfort-ky.gov)

- 3.5 FIRST READING:** An Ordinance to amend the City of Frankfort's Code of Ordinances – Chapter 152 – by amending the City of Frankfort's Zoning Regulations - Ordinance No. 8, 1983 Series, by amending Article 4, Sections 4.24 Central Business District; Section 4.40 Special Historic Districts; Section 4.41 Special Capital District and amending Article 17 Architectural Review Board of the City of Frankfort's Zoning Ordinance.

**Purpose:** To amend the City's Zoning Ordinance as recommended by the Frankfort/Franklin County Planning Commission and the Zoning Update Committee by amending Article 4, Sections 4.24 Central Business District; Section 4.40 Special Historic Districts; Section 4.41 Special Capital District and amending Article 17 Architectural Review Board of the City of Frankfort's Zoning Ordinance. More specifically, the request is to remove inconsistencies and duplications within Articles; to add mixed use, daycare, and bed and breakfast facilities as a conditional use; and to amend/clarify sections based on previous ARB actions.

**Background:** The current zoning regulations contain several duplicate sections for the historic zoning districts in Article 4 and other sections that are either difficult to locate, conflict with other sections, or difficult to understand to both staff and the public.

After discussing these items with the ARB chairman, staff drafted amendments to reduce the conflicts of the regulations; clarified sections based on previous ARB actions, and consolidated the duplicated sections and located them within one Article.

On September 26, 2007, the Zoning Update Committee reviewed the proposed text amendments and made suggested changes and additions.

On October 16, 2007, the Architectural Review Board discussed the proposed amendments, made some minor changes, and supported the proposed text to the Zoning Update Committee.

On February 28, 2008, the Zoning Update Committee reviewed the proposed text as amended by the ARB, made four new changes and then recommended the proposed text amendment to be forwarded to the Planning Commission.

On March 13, 2008, the Frankfort/Franklin County Planning Commission held a public hearing, closed the public hearing, approved the report as the findings rather than requesting a summary, and voted

unanimously for approval to recommend the City of Frankfort's Board of Commissioners to approve the proposed text amendment.

On April 14, 2008, the City Commission removed the item from the agenda to allow staff to make a minor amendment to the text concerning "with the exception of historically contributing structures identified on the national register or those determined as contributing by staff." Staff has amended the text by deleting or those determined as contributing by staff, to remove the subjectiveness of this section.

**Recommendation:** Approval

**Attachments:**

- Ordinance
- The report submitted to the Planning Commission (to be provided)
- Minutes of the March 13, 2008, Planning Commission meeting (to be provided)

**Contact Person**

**Name:** Gary Muller  
**Title:** Director  
**Department:** Planning and Building Codes  
**Phone:** 502/875-8500  
**Email:** [gmuller@frankfort-ky.gov](mailto:gmuller@frankfort-ky.gov)

- 3.6 FIRST READING:** An Ordinance Rezoning Property for a 29.08 acre parcel of property located at 8000 John Davis Drive, more specifically described as PVA map #086-00-00-021.00, from Rural Two Dwelling District (RD) to Rural Low Density Multifamily District (RL) (County Regulations).

Purpose: Approval of the recommendation of approval by the Frankfort/Franklin County Planning Commission concerning a zone map amendment by M&W LLC., for a 29.08 acre parcel of property located at 8000 John Davis Drive from Rural Two Dwelling District (RD) to Rural Low Density Multifamily District (RL) (County Regulations). More specifically described as PVA map #086-00-00-021.00.

Background: KRS requires that a public hearing be held by the Planning Commission and that the Planning Commission's recommendation be forwarded to the Local Government.

Should the City Commission desire to not follow the Planning Commission's recommendation, then the item is to be tabled and a request for a verbatim transcript of the Planning Commission meeting, which must be obtained before the item can be heard by the City Commission. The City Commission will then be required to make their own findings of fact based on the verbatim transcript or hold its own public hearing and then make findings of fact. Any action by the City Commission is to be limited to only the findings and testimony given during the Planning Commission hearing and no additional evidence or testimony is to be received unless a new public hearing is held by the City Commission.

On May 8, 2008 the Frankfort-Franklin County Planning Commission held a public hearing to consider a zone change request for this property. The public hearing was closed and on June 12, 2008, the Planning Commission reviewed the summary, made findings of fact, and motioned to recommend approval of a zone map amendment from Rural Two Dwelling District (RD) to Rural Low Density Multifamily District (RL) (County Regulations); based on the findings of fact. The motion to recommend approval of the requested zone map amendment passed unanimously.

**Recommendation:** Approval

**Attachments:**

- Ordinance
- Adopted Findings of Facts (to be provided)

- Staff Report reviewed by the Frankfort/Franklin County Planning Commission (to be provided)
- Minutes from the June 12, 2008 meeting (available upon completion)

**Contact Person**

**Name:** Gary Muller  
**Title:** Director  
**Department:** Planning and Building Codes  
**Phone:** 502/875-8500  
**Email:** [Gmuller@frankfort-ky.gov](mailto:Gmuller@frankfort-ky.gov)

**4. ORDERS**

**4.1** An Order to increase the rates for parking at the Sullivan Parking Garage.

**Purpose:** To consider approving increasing the parking rates for the Sullivan Garage to cover operational and repair costs.

**Background:** The City of Frankfort's parking rates are significantly lower than other cities. It is recommended that the City raise the parking rates approximately 20% to cover those operational and repair costs. The current and proposed rates are listed below:

	<u>Current</u>	<u>Proposed</u>	<u>% Increase</u>
1) 1-60 Min	.65	.75	15.4%
2) 61-120 Min	1.25	1.50	20.0%
3) 121-180 Min	1.75	2.25	28.6%
4) 181-240 Min	2.25	3.00	33.3%
5) Dailey Max	2.50	3.50	40.0%
6) Long-Term-Regular	18.00/mo	21.00/mo	16.7%
7) Long-Term-Reserved	33.00/mo	36.00/mo	9.1%
8) Long-Term-State	13.00/mo	16.00/mo	23.1%

**Financial Analysis:** The approximate monthly increase will be \$1,800.00 (19.6% increase).

**Recommendation:** Approval

**Attachment:**

- Order

**Contact Person**

<b>Name:</b>	Steve Dawson	Tony Massey
<b>Title:</b>	Director	City Manager
<b>Department:</b>	Finance	City Manager
<b>Phone:</b>	502/875-8500	502/875-8500
<b>Email:</b>	<a href="mailto:sdawson@frankfort-ky.gov">sdawson@frankfort-ky.gov</a>	<a href="mailto:amassey@frankfort-ky.gov">amassey@frankfort-ky.gov</a>

**5. RESOLUTIONS**

**6. CONSENT CALENDAR**

*Items on the Consent Calendar are considered to be routine by the Board of Commissioners and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Board member so requests, in which event the item will be removed from the Consent Calendar and considered separately. The City Manager will read the items recommended for approval.*

**6.1** To authorize the purchase of eleven (11) Police Pursuit Vehicles (Police Department).

**Purpose:** The purpose of this item is to receive authorization to purchase eleven (11) Police pursuit vehicles.

**Background:** This is an annual purchase that is necessary to maintain the operational integrity of the Department's vehicle fleet. The purchase will be made under State Contract Master Agreement #C-04534210 at the contract price of \$20,092 each (this includes preparation and delivery) for a total purchase price of \$221,012. These units are to be purchased from Country Side Motors, Lawrenceburg, KY.

**Financial Analysis:** Funding is available in the equipment account 100.43.56550 in the amount of \$228,800.

**Recommendation:** Approval

**Attachment:**

- Vehicle specs.

**Contact Person**

**Name:** Walter M. Wilhoite  
**Title:** Chief of Police  
**Department:** Police  
**Phone:** 502/875-8523  
**Email:** [mwilhoite@frankfort-ky.gov](mailto:mwilhoite@frankfort-ky.gov)

**6.2** To consider a bid award to Siegel's Corporation for police uniforms and accessories (Police Department).

**Purpose:** The purpose of this item is to award a two-year contract with the option to extend for one year to Siegel's Corporation for police uniforms and accessories.

**Background:** Bid packages were sent to potential suppliers of police uniforms and accessories. Siegel's Corporation and Bluegrass Uniforms were the only two to respond. After reviewing the bids it has been determined that it is in the best interest of the City to award all uniform and accessory items to Siegel's Corporation of Evansville, IN.

**Financial Analysis:** The Police Department has budgeted \$600.00 per officer for the purchase of uniforms and accessories each year in Account No.100.43.54340.

**Recommendations:** Approval

**Attachment:**

- Bid received

**Contact Person:**

**Name:** Chief Walter M. Wilhoite  
**Title:** Chief  
**Department:** Police  
**Phone:** 502-875-8523  
**Email:** [mwilhoite@frankfort-ky.gov](mailto:mwilhoite@frankfort-ky.gov)

**6.3** To declare two (2) Colt M-16A1 Machine Guns as surplus property and obtain authorization to trade said machine guns for 16 patrol rifles (Police Department).

**Purpose:** The purpose of this item is to declare two (2) Colt M-16A1 .223 caliber machine guns, serial numbers 9379389 and 9379232 as surplus property and obtain authorization to trade these two guns for 16 AR15 Doublestar DS4 .223 caliber patrol rifles.

**Background:** These weapons must be sold or traded by this Department to a licensed dealer with a Class 3 Federal Firearms License. The assessed value of the two machine guns is \$6,960.00 each, totaling \$13,920; the assessed value of the 16 rifles is \$870.00 each, also totaling \$13,920. The 16 rifles are to be used for patrol rapid deployment.

**Recommendation:** Approval

**Attachment:**

- Copies of registration documentation

**Contact Person:**

**Name:** Walter M. Wilhoite  
**Title:** Chief  
**Department:** Police  
**Phone:** 502/875-8523  
**Email:** [mwilhoite@frankfort-ky.gov](mailto:mwilhoite@frankfort-ky.gov)

- 6.4 To approve a sewer extension contract with CHN Developers, LLC, 135 Peaks Mill Road, Frankfort, Kentucky (Sewer Department).

**Purpose:** To approve a contract with CHN Developers as owner of Homestead Oaks, 980 Taylor Road in Frankfort, Franklin County, Kentucky which is zoned residential development of 75 lots, with improvements including 24 new manholes, 4,495 feet of 8-inch SDR 35 pipe serving said lots.

**Background:** Prior to acceptance of discharge from a development into the municipal sanitary sewer and acceptance of the development's collection by the Department, a contract must be entered into between the developer and the City of Frankfort.

David Collins, Member, has signed the contract. Sanitary sewer plans and specifications have been prepared and submitted to the Department for review and approval. The Division of Water has approved the sanitary sewer plans and specifications. Final acceptance is contingent upon completion of the 30-day waiting period for testing after construction is completed.

**Recommendation:** Approval

**Attachment:**

- Sewer Extension Contract

**Contact Person**

**Name:** William R. Scalf, Jr., P.E.  
**Title:** Director  
**Department:** Sewer  
**Phone:** 502/875-2448  
**Email:** [wscalf@Frankfort-KY.gov](mailto:wscalf@Frankfort-KY.gov)

- 6.5 To authorize contract award to Linebach Funkhouser, Inc. (LFI) for Health and Safety Training (Sewer Department)

**Purpose:** The purpose of this item is to award a contract for health and safety training to the Sewer Department personnel. It is critical that the Department stay in compliance with OSHA regulations.

**Background:** Health and safety issues are critical in the day-to-day operations of the Department and the safety of its employees. The Department personnel must be provided adequate training to maintain a safe working environment and minimize the potential for a safety related incident. Eight firms were contacted, and three firms responded.

**Financial Analysis:** Funding is available in Account No. 300.68.56550 not to exceed \$22,000.

**Recommendation:** Approval

**Attachment:**

- Contract

**Contact Person**

**Name:** William R. Scalf, Jr., PE  
**Title:** Director  
**Department:** Sewer  
**Phone:** 502/875-2448  
**Email:** [wscalf@frankfort-ky.gov](mailto:wscalf@frankfort-ky.gov)

- 6.6** To authorize entering into a 3-year contract with ESRI for an Enterprise License Agreement for GIS software (Sewer Department).

**Purpose:** The purpose of this item is to authorize entering into a 3-year contract with ESRI for an Enterprise License Agreement for GIS software.

**Background:** The City of Frankfort currently has 4 GIS licenses and several other licenses with ESRI. As part of the rollout of the GBA Work Order Program and other GIS applications that the IT Department is rolling out, additional GIS licenses are needed. This Enterprise License Agreement with ESRI gives the City unlimited access to ESRI GIS products for the duration of the 3-year agreement.

The License Agreement is being jointly funded by the Sewer Department, E911 and the IT Department. The annual cost of the License Agreement is being split between the Departments as follows:

Sewer Department	\$15,000
E911	\$10,000
IT Department	<u>\$10,750</u>
	\$35,750

The total cost of the 3-year agreement is \$107,250 and would be effective July 1, 2008 and run until June 30, 2011.

**Financial Analysis:** Funds are available in Account No. 300.68.56551 for Sewer Account No. 590.00.51110 for E911, and Account No.100.25.56551 for IT.

**Recommendation:** Approval

**Attachment:**

- ESRI License Agreement

**Contact Person**

<b>Name:</b>	William R. Scalf, Jr., PE	Julsun Pacheco
<b>Title:</b>	Director	IT Manager
<b>Department:</b>	Sewer	City Manager
<b>Phone:</b>	502/875-2448	502/875-8500
<b>Email:</b>	<a href="mailto:wscalf@frankfort-ky.gov">wscalf@frankfort-ky.gov</a>	<a href="mailto:jpacheco@frankfort-ky.gov">jpacheco@frankfort-ky.gov</a>

- 6.7** To authorize an engineering contract award for the Feasibility Study and Preliminary Engineering of the Two Creeks Project (Sewer Department).



**Purpose:** The purpose of this item is to consider awarding a contract to an engineering firm to perform a Feasibility Study and Preliminary Engineering for Two Creeks to address capacity issues and sanitary sewer overflow elimination.

**Background:** In December 2007 the Sewer Department accepted Statements of Qualifications from engineering firms for prequalification into the Wet Weather Program. The Sewer Department received Statements of Qualifications from 27 firms. Upon review of the Statements of Qualifications, a short-list of 3 firms was interviewed for the Two Creeks Project. Two members of the Sewer Department participated in the interviews of the short-listed firms.

Based upon the presentations and the firm's responses to questions by members of the selection committee, the selection committee unanimously recommends that the project be awarded to Jordan Jones and Goulding, Inc (JJG). The initial contract will have a contract limit of \$55,000. Additional funds will be necessary upon completion of the Feasibility Study for design, bidding, construction administration, construction observation and other services as may be required.

**Financial Analysis:** Funds are available in Sewer Account No. 450.68.56550 Capital Improvement Account.

**Recommendation:** Approval

**Attachment:**

- Contract (to be provided)

**Contact Person**

**Name:** William R. Scalf, Jr., PE  
**Title:** Director  
**Department:** Sewer  
**Phone:** 502/875-2448  
**Email:** [wscalf@frankfort-ky.gov](mailto:wscalf@frankfort-ky.gov)

- 6.8** To approve the lowest bid for demolition of 440 Holmes Street and to execute the Memorandum of Agreement (Planning and Building Codes).

**Purpose:** In accordance with the Property Maintenance Code, Section 109.1, the City ordered the property owner of 440 Holmes Street to repair or raze the condemned building within thirty days or the City would raze the building and charge the costs incurred to the real estate that remains. The property was properly noticed in accordance with the Property Maintenance Code.

**Background:** A notice to raze the structure was sent to the owner at the last known address, on April 3, 2008, via certified letter, first class letter and the property was also posted with the same notice. The owner has received the certified notice on of violation to raze the structure and place a lien on the property if not paid.

Quotes were received from 4 vendors. C.C. Moore was the lowest bidder at \$5,280.00, with River City Commercial Services at \$6,300, Mr. John Feshal, Jr. at \$7,900.00, and Mr. Ray Williams at \$9,800.00.

**Financial Analysis:** The Planning and Building Codes Department has budgeted \$38,100.00 for demolitions and nuisance abatement. Upon approval of this bid and memorandum of agreement, \$5,280.00 can be provided under the Planning Department's account #100-70-53295.

**Attachments:**

- Received bids
- Recent photos of property
- Memorandum of Agreement

**Contact Persons**

<b>Name:</b>	Gary Muller	Robert Engle
<b>Title:</b>	Director	Code Enforcement Supervisor
<b>Department:</b>	Planning and Building Codes	Planning and Building Codes
<b>Phone:</b>	502/875-8500	502/875-8500
<b>Email:</b>	<a href="mailto:gmuller@frankfort-ky.gov">gmuller@frankfort-ky.gov</a>	<a href="mailto:rengle@frankfort-ky.gov">rengle@frankfort-ky.gov</a>

- 6.9** To authorize a bid award to Airgas-Mid America to provide liquid oxygen for the new ozone generating system (Sewer Department).

**Purpose:** The purpose of this item is to consider a bid award to Airgas-Mid America to provide liquid oxygen for the new ozone generating system.

**Background:** The Sewer Department took bids on June 5, 2008 for liquid oxygen for the purpose of generating ozone for disinfection of wastewater effluent prior to discharge into the Kentucky River.

Bids were received from 2 vendors and Airgas-Mid America was the low bidder at \$0.39 per 100 cubic feet of liquid oxygen. It is estimated that the Sewer Department will use approximately 75,000 hundred cubic feet during July 2008 for a total cost of \$29,250. In July a contract extension for the remainder of the fiscal year will be submitted to the Commission for approval. Annual cost for liquid oxygen is estimated at \$250,000.

**Financial Analysis:** Funding is available in Account No. 300.68.54335.

**Recommendation:** Approval

**Attachment:**

- Bid Tab

**Contact Person**

<b>Name:</b>	William R. Scalf, Jr., PE
<b>Title:</b>	Director
<b>Department:</b>	Sewer
<b>Phone:</b>	502/875-2448
<b>Email:</b>	<a href="mailto:wscalf@frankfort-ky.gov">wscalf@frankfort-ky.gov</a>

- 6.10** To authorize a sewer extension contract with M & G Real Estate, LLC, 061 Four Mile Road, Richmond, Kentucky (Sewer Department).

**Purpose:** To approve a contract with M & G Real Estate, LLC as owner of Gates Nissan Tract 3 of Arrowhead Point Subdivision, U.S. 60, Versailles Road in Frankfort, Franklin County, Kentucky which is zoned commercial development of 1 lot, with improvements including 3 new manholes, 231 feet of 8-inch SDR 35 pipe and 149 feet of Ductile pipe serving said lot.

**Background:** Prior to acceptance of discharge from a development into the municipal sanitary sewer and acceptance of the development's collection by the Department, a contract must be entered into between the developer and the City of Frankfort.

Steve Gates, Member, has signed the contract. Sanitary sewer plans and specifications have been prepared and submitted to the Department for review and approval. The Division of Water has approved the sanitary sewer plans and specifications. Final acceptance is contingent upon completion of the 30-day waiting period for testing after construction is completed.

**Recommendation:** Approval

**Attachments:**

- Sewer Extension Contract

**Contact Person**

**Name:** William R. Scalf, Jr., P.E.  
**Title:** Director  
**Department:** Sewer  
**Phone:** 502/875-2448  
**Email:** [wscalf@Frankfort-KY.gov](mailto:wscalf@Frankfort-KY.gov)

- 6.11** To authorize an agreement between the City of Frankfort and Central Parking System of Kentucky, Inc., regarding the management of the Sullivan Garage Parking Lot (City Solicitor).

**Purpose:** The City needs to update the contract whereby Central Parking System of Kentucky, Inc., manages the Sullivan Garage Parking facility. The last time the contract was renewed in writing was 1992. The payment terms of the contract have not changed.

**Background:** The City and Central Parking System of Kentucky, Inc., entered into an agreement in 1992 whereby Central Parking was to manage the City's three parking facilities: the Wapping Street lot, the St. Clair Parking Garage and the Sullivan Parking Garage. The contract has been automatically renewed each year since 1992 pursuant to the automatic renewal provisions of the contract. Since the St. Clair Parking Garage and the Wapping Street Parking Lot have been closed, the contract needs to be updated to eliminate the reference to these parking facilities. There will be no change to the fee to be paid to Central Parking to manage the Sullivan Parking Garage; however, the fees associated with the closed parking facilities have been eliminated.

**Recommendation:** Approval

**Attachment:**

- Management Agreement

**Contact Person**

**Name:** Robert C. Moore  
**Title:** City Solicitor  
**Department:**  
**Phone:** 502/227-2271  
**Email:** [Rmoore@hazelcox.com](mailto:Rmoore@hazelcox.com)

- 6.12** To grant authorization to enter into a contract with Davey Resource Group to aid in creating an Urban Forestry Management Plan and a Tree Ordinance Update for the city under Professional Services and designating the Mayor to execute all documents pertaining to this agreement (Parks and Recreation).

**Purpose:** The purpose of this item is to authorize the signing of the contract and to authorize the Mayor to enter into an agreement with Davey Resource Group to aid in creating an Urban Forestry Management Plan and a Tree Ordinance Update for the city under Professional Services and designating the Mayor to execute all documents pertaining to this agreement. The amount of the contract is not to exceed \$8,000, which is the estimated cost awarded to the city for the project under the Urban and Community Forestry Grant.

**Background:** The Kentucky Forestry Department of has awarded funding to the City of Frankfort to create an Urban Forestry Plan and update our Tree Ordinance. Davey Resource Group's Jennifer Gulick is an International Arboriculture Association certified arborists and has worked with the city on two previous projects. With the Purchasing Agent's approval, staff would like to use Professional Services under the City's Purchasing Guidelines to contract with them.

**Financial Analysis:** Entire project is \$16,000. Of this amount, \$8,000 is provided through the grant. The City will provide a \$5,000 cash match, available in the Cove Spring Account (#640), \$3,000 in and in-kind match.

**Recommendation:** Approval

**Attachments:** Request Letter

**Contact Person**

<b>Name:</b>	Steve Brooks	Rebecca Hall
<b>Title:</b>	Director	Grants Manager
<b>Department:</b>	Parks/Rec & Historical Sites	City Manager
<b>Phone:</b>	502/352-2029	502/875-8500
<b>Email:</b>	<a href="mailto:sbrooks@frankfort-ky.gov">sbrooks@frankfort-ky.gov</a>	<a href="mailto:rhall@frankfort-ky.gov">rhall@frankfort-ky.gov</a>

- 6.13** To approve paying the annual lease payment for the Street Sweeper out of the Contingency Fund Account (Public Works and Finance).

**Purpose:** The lease payment for the Street Sweeper was inadvertently excluded from the budget. This request would provide for the Street Sweeper lease payment.

**Background:** At the time of budget preparation, the annual lease payment was not included in the 2007-08 Budget. The contract for the purchase of the equipment was approved by the commission. The amount of that annual payment is \$22,400.

**Financial Analysis:** Funds are available in Account No 100-95-53295.

**Recommendation:** Approval

**Attachments:** None

**Contact Persons**

<b>Name:</b>	Jeff Hackbart	Steve Dawson
<b>Title:</b>	Director	Director
<b>Department:</b>	Public Works	Finance
<b>Phone:</b>	502/875-8500	502/875-8500
<b>Email:</b>	<a href="mailto:jhackbart@frankfort-ky.gov">jhackbart@frankfort-ky.gov</a>	<a href="mailto:sdawson@frankfort-ky.gov">sdawson@frankfort-ky.gov</a>

<b>6.14</b>	<b><u>Personnel Action</u></b>	<b><u>Employee</u></b>	<b><u>Department</u></b>	<b><u>Date</u></b>	<b><u>Other</u></b>
	Appointment	John M. Hall	Transit	6-24-08	Transit Driver
		Eula Thomas	Transit	7-1-08	Transit Driver
		Lora Daum	Transit	7-1-08	Transit Driver
		Hollie T. Parker	Street	6-24-08	Tech II
		Christopher R. Brown	Planning	7-1-08	Staff Panner
	Promotion	Robert Smallwood	Public Works	6-24-08	To Fleet Maintenance Superintendent from Garage Foreman
	Retirement	Jim K. Perkins	Public Works	5-31-08	Tech IV; authorize payment of all accrued time as of effective date.

\* Conditional Offers of Employment

- Steven M. Shelton, Patrol Officer I, Police Department
- Ted L. Magness, Patrol Officer I, Police Department
- Arthur G. Chaney, Patrol Officer I, Police Department

\*Contingent upon successful completion of physical, psychological, polygraph, and drug screen examinations.

**Attachment:**

- Retirement letter – Jim Perkins

**Contact Person**

**Name:** John Morrow  
**Title:** Director  
**Department:** Human Resources  
**Phone:** 502/875-8500  
**Email:** [jmorrow@frankfort-ky.gov](mailto:jmorrow@frankfort-ky.gov)

**7. BOARD APPOINTMENTS**

**7.1 Board of Zoning Adjustments**

- David E. Jones – Reappointment, four-year term ending 7-1-12

**7.2 Frankfort-Franklin County Planning Commission**

- Sherron Jackson – Reappointment, four-year term ending 7-1-12

**Attachments**

- Letters of recommendation from Mayor May
- Resume – David Jones
- Resume – Sherron Jackson

**8. OLD BUSINESS**

**8.1** To approve the lowest bid for demolition of 311 W. Third Street and to execute the Memorandum of Agreement (Planning and Building Codes).

**Purpose:** In accordance with the Property Maintenance Code, Section 109.1, the City ordered the property owner of 311 W. Third Street to repair or raze the condemned buildings within thirty days, or the City would raze the buildings and charge the costs incurred to the real estate that remains. The property was properly noticed in accordance with the Property Maintenance Code.

**Background:** A notice to raze the three structures was sent to the owner at the last known address, on January 11, 2008, via certified letter, first class letter and the property was also posted with the same notice. The owner has not contacted our department but has received the certified notice of violation to raze the structure and place a lien on the property if not paid.

Quotes were requested from 4 vendors, two responded. River City Commercial Services was the lowest bidder at \$21,800.00 and Mr. John Feshal, Jr. bid was at \$24,994.00. No bid was received from Mr. Ray Williams or Weber Excavating.

Each bidder has broken out their bids further to provide a price for each structure on the property:

	<u>Main Bldg</u>	<u>Carriage House</u>	<u>Log Cabin</u>	<u>Total</u>
<b>River City Commercial</b>	\$15,400	\$5,600	\$1,600	\$22,600
<b>John Feshal, Jr.</b>	\$17,500	\$6,500	\$2,000	\$26,000

The higher total costs for individual demolitions are due to mobilization costs.

A petition has also been received from 12 citizens of south Frankfort.

On April 28, 2008, the item was passed over on the agenda, to allow concerned individuals to come back with more details on how they intend to obtain ownership and make repairs.

**Financial Analysis:** The Planning and Building Codes Department has budgeted \$38,100.00 for demolitions and nuisance abatement. As of date we have \$0.00 remaining. Upon approval of this bid and memorandum of agreement, \$4,000.00 can be provided under the Planning Department's professional service Account No. 100-70-53265, while the remaining balance of \$17,800 needs to come from Council Contingency Account No. 100-00-22061.

**Recommendation:** Approval

**Attachments:**

- Received bids
- Recent photos of property
- Memorandum of Agreement.
- Citizens' petition

**Contact Persons**

<b>Name:</b>	Gary Muller	Robert Engle
<b>Title:</b>	Director	Code Enforcement Supervisor
<b>Department:</b>	Planning and Building Codes	Planning and Building Codes
<b>Phone:</b>	502/875-8500	502/875-8500
<b>Email:</b>	<a href="mailto:gmuller@frankfort-ky.gov">gmuller@frankfort-ky.gov</a>	<a href="mailto:rengle@frankfort-ky.gov">rengle@frankfort-ky.gov</a>

**9. NEW BUSINESS**

- 9.1** To authorize funding in the amount of \$5,000 to support the Riverfront Development project sponsored by the Frankfort-Franklin County Tourist and Convention Commission (City Manager).

**Purpose:** To authorize funding in the amount of \$5,000 to support the Riverfront Development project sponsored by the Frankfort-Franklin County Tourist and Convention Commission.

**Background:** The Frankfort Tourist Commission Riverfront Development Steering Committee has been working for over a year to provide a synergy for economic growth and revitalization for Frankfort's Downtown area. State grant funding in the amount of \$150,000 is being sought to undertake a Riverfront Development Study. Additional funding is necessary to assist with on-going efforts to development the riverfront. Four (4) acres of land was recently donated for the express purpose of riverfront development activities.

**Financial Analysis:** \$5,000 to be paid from Account No. 100-95-53295. Franklin County Fiscal Court has contributed \$2,000 to date.

**Recommendation:** Approval

**Attachment:**

- Letter from Tourism Executive Director Joy Jeffries

**Contact Persons**

<b>Name:</b>	Tony Massey	Joy Jeffries
<b>Title:</b>	City Manager	Executive Director
<b>Department:</b>	City Manager	Tourist & Convention Commission
<b>Phone:</b>	502/875-8500	502/875-8687
<b>Email:</b>	<a href="mailto:amassey@frankfort-ky.gov">amassey@frankfort-ky.gov</a>	<a href="mailto:joy@visitfrankfort.com">joy@visitfrankfort.com</a>

- 9.2** To authorize funding in the amount of \$5,000 to support the Frankfort-Franklin County Tourist and Convention Commission's efforts for the World Equestrian Games (WEG) (City Manager).

**Purpose:** To authorize funding in the amount of \$5,000 to support the Frankfort-Franklin County Tourist and Convention Commission's efforts for the World Equestrian Games. This funding is needed immediately to fund activities of the Beautification Committee.

**Background:** As part of the preparations for the World Equestrian Events in 2010, the Frankfort-Franklin County Tourist and Convention Commission has been meeting with state agencies and the FEI/WEG organization since 2006 to develop plans for hosting visitors from all over the world. Tours have already been booked the local hotels and Tourist Commission are working closely with the WEG housing bureau for the Games.

Working closely with City Arborist Andrew Cammack are local garden clubs, and Kim Cowherd with the County Extension Office. A sustainable beautification plan for Frankfort and Franklin County has been developed. The requested funding will be used to coordinate and implement fall plantings.

**Recommendation:** Approval

**Financial Analysis:** \$5,000 is available in Account No. 100-95-53295. Franklin County Fiscal Court has contributed \$2,000. Total project budget is estimated at approximately \$30,000, with most funds to be raised through sponsorships.

**Attachment:**

- Letter from Tourism Executive Director Joy Jeffries

**Contact Persons**

<b>Name:</b>	Tony Massey	Joy Jeffries
<b>Title:</b>	City Manager	Executive Director
<b>Department:</b>	City Manager	Tourist & Convention Commission
<b>Phone:</b>	502/875-8500	502/875-8687
<b>Email:</b>	<a href="mailto:amassey@frankfort-ky.gov">amassey@frankfort-ky.gov</a>	<a href="mailto:joy@visitfrankfort.com">joy@visitfrankfort.com</a>

- 9.3** To consider approval of funding in the amount of \$24,500 for the Office of Commonwealth Attorney to be used exclusively to continue controlled substances crime prosecution (City Manager).

**Purpose:** To consider approval of funding in the amount of \$24,500 for the Office of Commonwealth Attorney to be used exclusively to continue controlled substances crime prosecution. The City's contribution is half of the annual \$49,000 cost to fund Drug Court prosecutions. The remaining \$24,500 will be contributed by the Franklin County Fiscal Court.

**Background:** The Franklin County Commonwealth Attorney's Office employs a full-time prosecutor for the prosecution of drug-related crimes. This position is funded through a federal grant, which will end in September 2008. The Franklin County Fiscal Court and City of Frankfort have been asked to fund this position for one year to sustain the prosecution of drug crimes in Franklin County. The high number of drug-related offenses locally justifies the need for this position.

**Financial Analysis:** Annual cost of \$24,500 to be paid from FY 2008-2009 Contingency Account No. 100.95.53295.

**Attachment:**

- Correspondence from Commonwealth Attorney Larry Cleveland

**Contact Persons**

<b>Name:</b>	Tony Massey	Rob Moore
<b>Title:</b>	City Manager	City Solicitor
<b>Department:</b>	City Manager	
<b>Phone:</b>	502/875-8500	502/227-2271
<b>Email:</b>	<a href="mailto:amassey@frankfort-ky.gov">amassey@frankfort-ky.gov</a>	<a href="mailto:rmoore@hazelcox.com">rmoore@hazelcox.com</a>

- 9.4** To authorize a bid award to Cleary Construction, Inc. for the construction of the Schenkel Cave sewer replacement (Sewer Department).

**Purpose:** The purpose of this item is to authorize a bid award to Cleary Construction, Inc. to construct the Schenkel Cave sewer replacement project.

**Background:** Bids were opened on May 29, 2008 and 5 bidders responded to the Invitation for Bids. Leak Eliminators, LLC was the low bidder with an extended price of \$3,384,200; however, they did not meet the minimum qualifications outlined in the project specifications. Cleary Construction, Inc. submitted the second low bid at \$4,705,950 and meets the minimum qualifications as outlined in the project specifications. This includes the base bid of \$4,584,150, Additive Alternate #1 at \$121,800.00, Additive Alternate #2 at \$0.00. Additive Alternate #3 at \$388,800 is not being accepted.

**Financial Analysis:** Funds are available in Account No. 300.68.53295.

**Recommendation:** Approval

**Attachments:**

- Bid Tab
- Recommendation Letter from Engineer

**Contact Person**

**Name:** William R. Scalf, Jr., PE  
**Title:** Director  
**Department:** Sewer  
**Phone:** 502/875-2448  
**Email:** [wrscaf@frankfort-ky.gov](mailto:wrscaf@frankfort-ky.gov)

<b>9.5</b>	<b><u>Personnel Action</u></b>	<b><u>Employee</u></b>	<b><u>Department</u></b>	<b><u>Date</u></b>	<b><u>Other</u></b>
	Resignation	Joshua L. Clark	Communications	5-30-08	Telecommunicator; authorize Payment of all accrued time as of effective date.

**Attachment:**

- Joshua Clark resignation letter

**Contact Person**

**Name:** John Morrow  
**Title:** Director  
**Department:** Human Resources  
**Phone:** 502/875-8500  
**Email:** [jmorrow@frankfort-ky.gov](mailto:jmorrow@frankfort-ky.gov)

**10 CITIZEN COMMENTS**

**11. COMMISSIONER COMMENTS**

**12. ADJOURNMENT**